

Substitute for form 1449/PTO				Complete if Known	
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/606,039
				Filing Date	June 25, 2003
				First Named Inventor	Bruce E. Thomas et al.
				Art Unit	3634
				Examiner Name	
Sheriff MADE	1	of	1	Attorney Docket Number	3329.02US03
NON PATENT LITERATURE DOCUMENTS					
EXAMINER INITIAL <i>O I P E</i>	Cite No. ¹ <i>81</i>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
AUG 05 2004 <i>PATENT & TRADEMARK OFFICE</i>		Complaint for Patent Infringement, filed 24 October 2003, U.S. District Court, District of South Dakota, Southern Division.			
		Answer and Counterclaim, filed 29 December 2003, U.S. District Court, District of South Dakota, Southern Division.			
		Reply to Defendant's Counterclaims, filed 16 January 2004, U.S. District Court, District of South Dakota, Southern Division.			
		Defendant's Amended Answer and Counterclaims, filed 29 April 2004, U.S. District Court, District of South Dakota, Southern Division.			
		Reply to Defendants' Amended Counterclaims, filed 14 May 2004, U.S. District Court, District of South Dakota, Southern Division.			
EXAMINER SIGNATURE <i>R. J.</i>		DATE CONSIDERED			<i>4-29-05</i>
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p>					
<i>If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.</i>					

Date Mailed: September 28, 2004

Sheet 1 of 1

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 14458.IUSRX	Application Number: UNKNOWN
	Applicant: THOMAS ET AL.	
	Filing Date: FILED HEREWITH	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

23552

PATENT TRADEMARK OFFICE

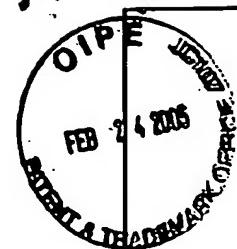
EXAMINER

DATE CONSIDERED

4-29-05

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/606,039
				Filing Date	June 25, 2003
				First Named Inventor	Thomas et al.
				Art Unit	3634
				Examiner Name	Blair M. Johnson
Sheet	1	of	1	Attorney Docket Number	3329.02US03
NON PATENT LITERATURE DOCUMENTS					
EXAMINER INITIAL [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
BJ		Verified Complaint for Patent Infringement, filed August 4, 2004, U.S. District Court, District of South Dakota, Southern Division			
		Answer and Counterclaim, filed August 26, 2004, U.S. District Court, District of South Dakota, Southern Division			
		Reply to Defendants' Counterclaim, filed September 8, 2004, U.S. District Court, District of South Dakota, Southern Division			
		Order, filed October 4, 2004, U.S. District Court, District of South Dakota, Southern Division			
		Order Granting/Denying Request for <i>Ex Parte</i> Reexamination, December 20, 2004, Request is GRANTED.			
EXAMINER SIGNATURE	<i>B. J.</i>		DATE CONSIDERED	4-29-05	
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p>					
<p>If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.</p>					



Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/606,039
				Filing Date	June 25, 2003
				First Named Inventor	Thomas et al.
				Art Unit	3634
				Examiner Name	Blair M. Johnson
Sheet	1	of	3	Attorney Docket Number	3329.02US03
U.S. PATENT DOCUMENTS					
EXAMINER INITIAL ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		Number-Kind Code ² (if known)			
Bf		US-6,712,404 B2	03/30/2004	Davies et al.	
		US-6,701,994	03/09/2004	Goldenberg et al.	
		US-6,691,761	02/17/2004	Alkhoury et al.	
		US-6,688,063 B1	02/10/2004	Lee et al.	
		US-6,679,002 B2	01/20/2004	Davies et al.	
		US-6,629,555	10/07/2003	DeBlock et al.	
		US-6,499,527	12/31/2002	Lindley, Jr.	
		US-6,478,070	11/12/2002	Poppema	
		US-6,470,947	10/29/2002	Holevas	
		US-6,463,983	10/15/2002	Lang	
		US-6,435,254	08/20/2002	Todd et al.	
		US-6,408,922	06/25/2002	Desrochers	
		US-6,405,781 B2	06/18/2002	Davies et al.	
		US-6,378,594	04/30/2002	Yamanaka et al.	
		US-6,296,040	10/02/2001	Schaap	
		US-6,209,614 B1	04/03/2001	Smoot	
		US-6,209,610	04/03/2001	Davies et al.	
		US-6,186,215	02/13/2001	DeYoung et al.	
		US-6,119,758	09/19/2000	Coenraets	
		US-6,116,321	09/12/2000	Kavchar	
		US-6,089,302	07/18/2000	Britt	
		US-6,070,642	06/06/2000	Douglas et al.	
		US-6,059,007	05/09/2000	Tomita	
		US-5,934,353	08/10/1999	Buhr	
		US-5,906,421	05/25/1999	Floyd	
		US-5,802,971	09/08/1998	Hamu et al.	
		US-5,787,952	08/04/1998	Wegner	
		US-5,775,400	07/07/1998	Wilkinson	
		US-5,758,704	06/02/1998	Elrod	
		US-5,671,790	09/30/1997	Andersen et al.	
		US-5,651,406	07/29/1997	Schaap	
		US-5,482,104	01/09/1996	Lichy	
		US-5,456,303	10/10/1995	Horinouchi	
EXAMINER SIGNATURE	B. Jol		DATE CONSIDERED	4/29/05	
<p>¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p>					

Sheet	2	of	3	Attorney Docket Number	3329.02US03
		US-5,445,209		08/29/1995	Lichy
		US-5,351,738		10/04/1994	Petersen et al.
		US-5,123,474		06/23/1992	Smith
		US-5,092,388		03/03/1992	Evers
		US-5,039,246		08/13/1991	Woodruff et al.
		US-5,015,034		05/14/1991	Kindig et al.
		US-4,987,943		01/29/1991	Charest
		US-4,934,437		01/19/1990	Kraeutler
		US-4,781,235		11/01/1988	Hedstrom et al.
		US-4,574,864		03/11/1986	Tse
		US-4,531,562		07/30/1985	Swanson
		US-4,472,862		09/25/1984	Bloomfield et al.
		US-4,369,829		01/25/1983	Casiday
		US-4,345,636		08/24/1982	Fukuchi
		US-4,326,577		04/27/1982	Tse
		US-4,267,876		05/19/1981	Bloomfield
		US-4,084,360		04/18/1978	Reckson
		US-3,990,635		11/09/1976	Restle et al.
		US-3,987,835		10/26/1976	Bloomfield
		US-3,882,921		05/13/1975	Sandall
		US-3,552,471		01/05/1971	Hurst et al.
		US-3,244,222		04/05/1966	Johnson
		US-3,173,474		03/16/1965	Wootten
		US-3,005,489		10/24/1961	Crocker et al.
		US-2,886,103		05/12/1959	Pitcoff
		US-2,769,491		11/06/1956	Pitcoff
		US-2,731,220		01/17/1956	Power
		US-2,584,369		02/05/1952	Renton
		US-2,573,590		10/30/1951	Mosebach
		US-2,517,514		08/01/1950	Walsh
		US-2,509,398		05/30/1950	Peremi et al.
		US-2,432,808		12/16/1947	Royak
		US-2,428,644		10/07/1947	Zega
		US-2,349,226		05/16/1944	Thomas
		US-2,261,443		11/04/1941	McGaw
		US-1,996,108		04/02/1935	Herr
		US-1,866,788		07/12/1932	Arthur
		US-1,863,255		06/14/1932	Rogers
		US-1,810,849		06/16/1931	Nye

EXAMINER
SIGNATURE

B. J.

DATE
CONSIDERED

4-29-05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Sheet	3	of	3	Attorney Docket Number	3329.02US03
-------	---	----	---	------------------------	-------------

U.S. PATENT DOCUMENTS

EXAMINER INITIAL ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (if known)		
BJ		US-1,459,155	06/19/1923	Ioor
		US-1,355,608	10/12/1920	Knapp
		US-1,349,438	08/10/1920	Samplawski
		US-1,217,338	02/27/1917	Okamuro
		US-1,155,546	10/05/1915	Bridges
		US-1,143,718	06/22/1915	McPherson
		US-912,104	02/09/1909	Flora
		US-739,553	09/22/1903	Mansell
		US-604,620	05/24/1898	Kolb et al.
		US-D494,401 S	08/17/2004	Davies et al.
		US-D484,991 S	01/06/2004	Davies et al.
		US-D470,749 S	02/25/2003	Davies
		US-D414,677	10/05/1999	Davies
		US-D376,529	12/17/1996	Davies et al.
		US-2004/0216849	11/04/2004	Goldenberg et al.

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			
BJ		AU 351,167	06/25/1931	Davanzo	
		AU 121,261	03/26/1946	Nicholson	
		DE 3639077	03/03/1988	Kohler et al.	
		DE 19708816	06/11/1997	Höchemer	
		DE 19825445	12/09/1999	Specker	
		DE 2934122	03/12/1981	Rau	
		DE 60596		Streeter	
		DE264173		Hobling	
		GB 153,448	11/11/1920	Crane	

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
BJ		EMCO SPECIALTIES, FOREVER Storm & Screen Doors, copyright 1998, United States of America	

EXAMINER SIGNATURE	<i>BJ</i>	DATE CONSIDERED	4-29-US
--------------------	-----------	--------------------	---------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.